

1 QUIN DENVER, Bar #49374
2 Federal Defender
3 TIMOTHY ZINDEL, Bar #158377
4 Assistant Federal Defender
5 801 I Street, 3rd Floor
6 Sacramento, California 95814
7 Telephone (916) 498-5700

8 Attorney for Defendant
9 JOSHUA MAYFIELD

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Case No. Mag. 05-125 GGH
Plaintiff,)
v.) **STIPULATION AND ORDER**
JOSHUA MAYFIELD,) Date: August 5, 2005
Defendant.) Time: 2:00 p.m.
Judge: Hon. Dale A. Drozd

IT IS HEREBY STIPULATED AND AGREED between plaintiff, United States of America, and defendant, Joshua Mayfield, though their counsel, that the preliminary hearing scheduled for August 5, 2005, may be continued to August 30, 2005, at 2:00 p.m.

The parties are exploring the possibility of a pre-indictment resolution of the charge embodied in the complaint but seek additional time to gather records and complete an evaluation of Mr. Mayfield, who lives in a Stockton board and care facility. In order to have additional time to complete these tasks, Mr. Mayfield specifically consents to extend the time limit for the preliminary hearing, pursuant to Fed. R. Crim. P. 5.1(d), and the parties agree that their continued discussions constitute

1 good cause to extend the time for preliminary hearing, taking into
2 consideration the public interest in the prompt disposition of criminal
3 cases. The parties further agree that time between the date of this order
4 and August 30, 2005, may be excluded from the period within which an
5 indictment must be filed under the Speedy Trial Act, pursuant to 18 U.S.C.
6 § 3161(h)(1)(A) (delay resulting from examination to determine physical
7 capacity) and (h)(8)(A).

8 Respectfully submitted,

9 QUIN DENVER
10 Federal Public Defender

11 Dated: August 2, 2005

12 /s/ T. Zindel
13 TIMOTHY ZINDEL
14 Assistant Federal Defender
15 Attorney for JOSHUA MAYFIELD

16 Dated: August 2, 2005

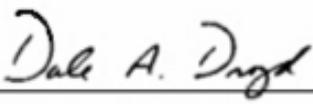
17 /s/ E. Endrizzzi
18 ELLEN V. ENDRIZZI
19 Assistant U.S. Attorney
20 Attorney for Plaintiff

21 **O R D E R**

22 The preliminary hearing is continued to August 30, 2005, at 2:00 p.m.
23 Time is hereby extended pursuant to Rule 5.1 and excluded under the Speedy
24 Trial Act through August 30, 2005, for the reasons stated above and by
25 agreement of the parties.

26 IT IS SO ORDERED.

27 DATED: August 2, 2005.

28 
DALE A. DUGAY
UNITED STATES MAGISTRATE JUDGE

Ddad1/orders.criminal/mayfield0125.ord